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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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7590

12/26/2001

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EXAMINER

VU, STEPHEN A

ART UNIT

PAPER NUMBER

3636

DATE MAILED: 12/26/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

# Office Action Summary

Application No.  
09/595,531

Applicant(s)  
Hann

Examiner  
Stephen Vu

Group Art Unit  
3636



☒ Responsive to communication(s) filed on Nov 20, 2001

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 9, 11, 13, and 21-27 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 9, 11, 13, 21, and 23-25 is/are rejected.

☒ Claim(s) 22, 26, and 27 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 9,11,13,21, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Izuno et al.

Izuno et al show a headrest assembly, as illustrated in Figures 1-9, comprising a headrest guide (7,11) having two sleeves(15) forming a channel. The two sleeves are rigidly connected with respect to one another so that the channel of each is parallel with the other. The headrest guide is formed as an integrally molded, unitary component. A headrest insert (2) is provided with two generally parallel rods (3,4).

With claims 11 and 25, the headrest guide is connected with respect to the seat frame (5) of a vehicle.

With claim 13, the headrest insert tapers from each outer end toward a center portion.

3. Claims 9,11,21, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Wallis.

Wallis shows a headrest assembly, as illustrated in Figures 1-6, comprising a headrest guide (22) having two sleeves (18,20) forming a channel. The two sleeves are rigidly connected

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with respect to one another so that the channel of each is parallel with the other. The headrest guide is formed as an integrally molded, unitary component. A headrest insert (12) is provided with two generally parallel rods (14,16).

With claims 11 and 25, the headrest guide is connected with respect to the seat frame of a vehicle.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 9,11,21,23-24, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Russell.

Russell shows a headrest assembly, as illustrated in Figures 1-11, comprising a headrest guide (24) having two sleeves (16) forming a channel. The two sleeves are rigidly connected with respect to one another so that the channel of each is parallel with the other. The headrest guide is formed as an integrally molded, unitary component. A headrest insert (19) is provided with two generally parallel rods (15,17).

With claims 11 and 25, the headrest guide is connected with respect to the seat frame of a vehicle.

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With claim 23, each sleeve has at least one retaining clip (34,36) positioned with respect to an outer surface of the sleeve.

With claim 24, each sleeve has a receptacle (20,22) positioned within a top portion of the sleeves for engaging a headrest cap (84,184).

***Allowable Subject Matter***

6. Claims 22 and 26-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takei, Masters et al, Dudash et al, Connelly et al, and Russell are cited as showing similar types of headrest assembly.

***Response to Amendment***


8. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Accordingly, this Office action is considered to be Non-final.

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9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Stephen Vu, whose telephone number is (703) 308-1378.



Stephen Vu  
Patent Examiner  
December 18, 2001



Peter M. Cuomo  
Supervisory Patent Examiner  
Technology Center 3600